

**ASSEMBLY BILL**

**No. 448**

**Introduced by Assembly Member Floyd**

February 16, 1999

An act to repeal Section 21417 of the Government Code, relating to public employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 448, as introduced, Floyd. Public employee retirement.

The Public Employees' Retirement Law limits industrial disability retirement allowance to amounts equal to the service retirement allowance a member would have received if service had not been discontinued.

This bill would delete that provision.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21417 of the Government Code  
2 is repealed.  
3 ~~21417. Notwithstanding any other provision of this~~  
4 ~~part, the industrial disability retirement allowance of a~~  
5 ~~member whose membership commenced after January 1,~~  
6 ~~1980, in the category of membership in which the~~  
7 ~~member was serving at the time of suffering the disability~~  
8 ~~or incurring the disease causing retirement for industrial~~  
9 ~~disability, shall not exceed the service retirement~~

1 ~~allowance that would be payable as a result of service in~~  
2 ~~that category of membership if the member's service had~~  
3 ~~continued to age 55, if a patrol, state peace~~  
4 ~~officer/firefighter, state safety, or local safety member,~~  
5 ~~age 65, if service is subject to Section 21076, or age 63, if~~  
6 ~~any other category of member.~~

7 ~~This section shall not be applicable to a member who~~  
8 ~~is subject to Section 21430, or a member whose disability~~  
9 ~~results from an injury that is a direct consequence of a~~  
10 ~~violent act perpetrated upon his or her person or occurs~~  
11 ~~during the performance of those portions of his or her~~  
12 ~~duties that are particularly hazardous and dangerous.~~

